



MORRIS COUNTY AGRICULTURE DEVELOPMENT BOARD

P.O. Box 900 Morristown, NJ 07963-0900
(973) 829-8120 ♦ FAX (973) 326-9025 ♦ WEBSITE: www.morrispreservation.com

Office located at: 30 Schuyler Place, Morristown, NJ

June 12, 2006

Ms. Barbara Hertz
P.O. Box 254
Towaco, NJ 07082

Via Certified Mail

Re: Right to Farm Act
Request for a Site Specific Agricultural Management Practice (AMP)
Complaint – Conflict Resolution Process

Dear Ms. Hertz:

On June 8, 2006, the Morris Agriculture Development Committee (Morris CADB) evaluated your agricultural operation to determine whether it is a commercial farm as defined by the Right to Farm Act, N.J.S.A. 4:1C-9 and the State Agriculture Development Committee's (SADC) Right to Farm Rules, N.J.A.C. 2:76-2.1. Based on the proofs you submitted and the testimony you provided during the meeting, the Morris CADB determined that your operation is not a "commercial farm."

Because your operation does not meet the eligibility criteria of the Right to Farm Act, it is not entitled to the protection of the Act and the Morris CADB lacks jurisdiction over the operation. Accordingly, the Morris CADB is unable to pursue your application for a site-specific Agricultural Management Practice (AMP) and to address the complaint filed against you by the Borough of Lincoln Park. All activities occurring on your property are outside the purview of the Morris CADB and remain under municipal jurisdiction.

Be advised that pursuant to N.J.A.C. 2:76-2.10 et seq. (copy enclosed), any person aggrieved by the decision of the CADB may appeal the decision to the SADC within 10 days of the receipt of the CADB's decision. Any decision of the CADB that is not appealed shall be binding. The SADC may be reached at (609) 984-2504. The mailing address is: State Agriculture Development Committee, P.O. Box 330, Trenton, NJ 08625-0330.

If you have any questions, please contact me.

Sincerely,

Katherine Coyle
Assistant Director

Enclosure

cc: Gary McNabb, Zoning Officer, Borough of Lincoln Park (w/ enclosure)
Marcy Green, Esq., Chief of Legal Affairs, SADC (w/o enclosure)
W. Randall Bush, Esq., Assistant County Counsel, Morris County (w/o enclosure)

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